

**ENTERED**

March 22, 2017

David J. Bradley, Clerk

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

GEORGE BERNARD,

*Plaintiff,*

v.

CITY OF HOUSTON, et al.,


*Defendants.*§  
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CIVIL ACTION H-15-734

**ORDER ADOPTING MEMORANDUM & RECOMMENDATION**

Pending before the court is the Magistrate Judge's Memorandum and Recommendation ("M&R") (Dkt. 36) relating to the defendants' motion for summary judgment (Dkt. 34). The M&R advises that any parties wishing to object to the M&R must do so by March 16, 2016. Dkt. 36 at 64. The court has received no objections. The court, having reviewed the M&R, relevant documents within the record, and the applicable law, and having received no objections, ADOPTS the M&R in its entirety. For the reasons stated in the M&R, the defendants' motion for summary judgment is GRANTED IN PART AND DENIED IN PART. The plaintiff's claims, except for the excessive force claim against individual defendant Officer Ferdinand Rodriguez under 42 U.S.C. § 1983, are DISMISSED WITH PREJUDICE.

Signed at Houston, Texas on March 22, 2017.



Gray H. Miller  
United States District Judge